

EXHIBIT J

Videotaped Deposition of
Elizabeth Tzetzso
March 15, 2023

Freeman

VS.

Deebs

Confidential



Confidential

Freeman vs.
Deebs

Elizabeth Tzetzso

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 ***CONFIDENTIAL TRANSCRIPT***
4 -----X
5 LYNNE FREEMAN, an individual,
6 Plaintiff,
7 -against- Civil Action No.
8 TRACEY DEEBS-ELKENANEY P/K/A 1:22-cv-02435-LLS
9 TRACY WOLFF, an individual,
10 EMILY SYLVAN KIM, an individual,
11 PROSPECT AGENCY, LLC, a New
12 Jersey limited liability company,
13 ENTANGLED PUBLISHING, LLC, a
14 Delaware limited liability company,
15 ***CAPTION CONTINUED***
16 -----X
17 VIDEOTAPED STENOGRAPHIC DEPOSITION OF:
18 ELIZABETH TZETZO
19 Wednesday, March 15, 2023
20 New York, New York
21 10:12 a.m. - 12:41 p.m.
22 HYBRID DEPOSITION
23
24 Reported stenographically by:
25 Richard Germosen, FAPR, CA CSR No. 14391
RDR, CRR, CCR, CRCR, CSR-CA, NYACR, NYRCR
NCRA/NJ/NY/CA Certified Realtime Reporter
NCRA Realtime Systems Administrator
Job No. 10115789

Confidential

Freeman vs.
Deebs

Elizabeth Tzetzso

1 -----X

2 ***CAPTION CONTINUED***

3 HOLTZBRINCK PUBLISHERS, LLC

4 D/B/A MACMILLAN, a New York

5 limited liability company,

6 and UNIVERSAL CITY STUDIOS, LLC,

7 a Delaware limited liability company,

8 Defendants.

9 -----X

10 VIDEOTAPED TELECONFERENCED STENOGRAPHIC

11 DEPOSITION of ELIZABETH TZETZO, taken in the

12 above-entitled matter before RICHARD GERMOSEN, Fellow of

13 the Academy of Professional Reporters, Certified Court

14 Reporter, (License No. 30XI00184700), Certified Realtime

15 Court Reporter-NJ, (License No. 30XR00016800),

16 California Certified Shorthand Reporter, (License No.

17 14391), NCRA/NY/CA Certified Realtime Reporter, NCRA

18 Registered Diplomate Reporter, New York Association

19 Certified Reporter, NCRA Realtime Systems Administrator,

20 taken at the offices of REITLER KAILAS & ROSENBLATT LLP,

21 885 Third Avenue, New York, New York 10022, on

22 Wednesday, March 15, 2023, commencing at 10:12 a.m.

23

24

25

Confidential

Freeman vs.
Deebs

Elizabeth Tzetzso

1 A P P E A R A N C E S:

2

3

4 DONIGER / BURROUGHS APC

5 BY: STEPHEN M. DONIGER, ESQ.

6 603 Rose Avenue

7 Venice, California 90291

8 (310) 590.1820

9 stephen@donigerlawfirm.com

10 Attorneys for the Plaintiff

11

12 COWAN DeBAETS ABRAHAMS & SHEPPARD LLP

13 BY: NANCY E. WOLFF, ESQ.

14 -and-

15 BY: CECE COLE, ESQ., (Via Zoom)

16 41 Madison Avenue

17 38th Floor

18 New York, New York 10010

19 (212) 974.7474

20 ccole@cdas.com

21 nwolff@cdas.com

22 Attorneys for the Defendants,

23 Tracy Deebs-Elkenaney P/K/A Tracy Wolff; Entangled

24 Publishing, LLC, Holtzbrinck Publishers, LLC, D/B/A

25 Macmillan; Universal City Studios, LLC

Confidential

Freeman vs.
Deebs

Elizabeth Tzetzio

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ALSO PRESENT:

JASON DUBINSKI, Legal Video Specialist

WENDY SZYMANSKI, ESQ., Macmillan

Confidential

Freeman vs.
Deebs

Elizabeth Tzetzso

1 previously marked as exhibit 55. It's a copy of the
2 distribution agreement, the original distribution
3 agreement for 2013 between Entangled and Macmillan.

4 Have you seen this document before?

5 A. I have.

6 Q. All right. And do I understand
7 correctly that pursuant to the terms of this
8 agreement, Macmillan is the exclusive distributor
9 for Entangled?

10 A. Yes.

11 ATTORNEY WOLFF: Object to the form.

12 You can answer.

13 THE WITNESS: Okay.

14 ATTORNEY WOLFF: You can answer.

15 A. Yes, we are the exclusive
16 distributor.

17 BY ATTORNEY DONIGER:

18 Q. All right.

19 And, in fact, under grant -- I'm just
20 reading the first sentence. It says: By entering
21 into this agreement, the publisher grants Macmillan
22 for the term of this agreement the exclusive right
23 to distribute throughout the world all print books
24 and e-books that are published or scheduled for
25 publication by the publisher during the term of this

Confidential

Freeman vs.
Deebs

Elizabeth Tzetzto

1 BY ATTORNEY DONIGER:

2 Q. As you sit here today, do you know
3 the total amount paid to Entangled in connection
4 with the first four books of the Crave series? Paid
5 by Macmillan?

6 A. Paid by Macmillan? No, I only know
7 the sales -- total sales numbers.

8 Q. Okay. Does Macmillan have any
9 knowledge or information about the creation of the
10 Crave series books?

11 A. No.

12 Q. Okay. Anything that it knows it
13 would have just been told by Entangled or the
14 author?

15 ATTORNEY WOLFF: Object to form.
16 You can answer, if you understand.

17 A. No, we're not involved in the
18 acquisition of the books.

19 Q. Okay. So there is -- and just to be
20 clear, to the best of your knowledge, as a
21 representative of Macmillan, no one at Macmillan has
22 had any involvement in the creation of any of the
23 Crave books or storylines; is that right?

24 A. Correct.

25 Q. Going back to exhibit 76, it -- we

Confidential

Freeman vs.
Deebs

Elizabeth Tzetzso

C E R T I F I C A T E

I, RICHARD GERMOSEN, Fellow of the Academy of Professional Reporters, stenographic New Jersey Certified Court Reporter, New Jersey Certified Realtime Court Reporter, California Certified Shorthand Reporter, California Certified Realtime Reporter, NCRA Registered Diplomate Reporter, and NCRA Certified Realtime Reporter, do hereby certify:

That ELIZABETH TZETZO, the witness whose deposition is hereinbefore set forth, having been duly sworn, and that such deposition is a true record of the testimony of said witness.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of March 2023.



RICHARD GERMOSEN,
FAPR, RDR, CRR, CCR-NJ, CRCR, CSR-CA, CCRR-CA,
NYACR, NYRCR
LICENSE NO. 30XI00184700
LICENSE NO. 30XR00016800
California CSR No. 14391
California CRR No. 198

Confidential

Freeman vs.
Deebs

Elizabeth Tzetzso

DECLARATION UNDER PENALTY OF PERJURY

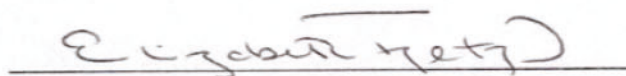
Case Name: Freeman vs. Deebs

Date of Deposition: 03/15/2023

Job No.: 10115789

I, ELIZABETH TZETZO, hereby certify
under penalty of perjury under the laws of the State of
New York that the foregoing is true and correct.

Executed this 21st day of
April, 2023, at 3:37.



ELIZABETH TZETZO

NOTARIZATION (If Required)

State of _____

County of _____

Subscribed and sworn to (or affirmed) before me on
this ____ day of _____, 20__,
by _____, proved to me on the
basis of satisfactory evidence to be the person
who appeared before me.

Signature: _____ (Seal)